

SUMMARY¹

Water Pollution Control Board
Fort Wayne City-County Building
Omni Room – Room 250
Fort Wayne, Indiana
Wednesday, June 13, 2007

1. CALL TO ORDER

Chairperson Gary Powdrill called the meeting to order at 1:30 p.m.

Members present: Gary Powdrill (Chairperson); David Wagner; Lee Botts; Robert Warnock; Mark Legan; Ken Hedge; James Flannery; Steve Boyce (proxy for Lt. Gov. Becky Skillman); James Ray (proxy for Robert E. Carter, IDNR); Pamela Fisher (proxy for Nathan J. Feltman, Sec. of Commerce); Howard Cundiff (proxy for Dr. Judith A. Monroe, IDOH); and Deborah Albright (board counsel).

Present for IDEM: Bruno Pigott, Assistant Commissioner, Office of Water Quality; and Kyle Endris, Branch Chief, Office of Enforcement.

2. ANNOUNCEMENTS

Chairperson Powdrill thanked representatives from the City of Fort Wayne, Allen County, and IDEM for arranging the day's program. After the OWQ report, Chairperson Powdrill had the board members introduce themselves and announce their affiliations.

3. APPROVAL OF SUMMARY

Chairperson Powdrill called for the approval of the April 11, 2007 board summary. With a voice vote, the summary was unanimously approved.

4. REPORTS

Mr. Bruno Pigott discussed several rulemakings and other issues. E.coli was second noticed June 7th for 30 days. Wastewater Operator Certification is on its way up to the commissioner's desk for final signoff to get second noticed. Drinking Water Reporting was sent to the AGs office May 31st. Mr. Pigott reported they are making final edits to Pretreatment Streamlining before it is sent for second notice. He expects to post the second notice for Drinking Water Standards in July.

During the development of a long-term control plan to address CSO overflows, "existing use" is an important issue. A CSO workgroup has talked about existing uses, and Mr. Pigott felt there was a fairly broad consensus on their draft nonrule policy document.

Mr. Pigott reported Antidegradation is a critical rulemaking. Martha Clark Mettler and a team of people have been working on a version that will be shared with the board. The goal is to produce a rulemaking that is implementable, protective, and meets the goals of antidegradation. He said they were getting there and he appreciated everyone's patience.

¹ This summary was prepared from the official transcript.

He provided the board with an update on the status of electronic submissions, then answered questions from the board members.

5. PRESENTATION

Kyle Endris presented Water-013-NPD: Self Disclosure & Environmental Audit Policy. There were no questions from the board.

Before the start of rule actions, Chairperson Powdrill brought to the board's attention a copy of the letter he sent to the EPA regarding the extension of dates for the CAFO rules.

6. RULE ACTIONS

A. LSA Doc. #05-218 Combined Sewer Overflows

Chairperson Powdrill opened the public hearing for consideration of the final adoption of amendments to rules and a new rule to LSA Doc. #05-218 CSOs. Mr. Pigott spoke for the agency.

There was one commenter: Mr. Josh Goode representing the Indiana Association of Cities & Towns. Afterwards, the public hearing concluded. There was no board discussion.

A motion to adopt IDEM's suggested amendments was made and seconded. With a unanimous voice vote, the board approved the suggested changes. A motion to final adopt the proposed rule as amended was made and seconded. With a roll call vote, the board voted unanimously for the final adoption of #05-218 CSOs as amended.

B. LSA Doc. #06-96 Sewer Bans

Chairperson Powdrill opened the public hearing for consideration of the final adoption of amendments to rule to LSA Doc. #06-96 Sewer Bans. Mr. Pigott spoke for the agency. He responded to questions from the board.

There was one commenter: Mr. Josh Goode representing the Indiana Association of Cities & Towns. Afterwards, the public hearing concluded.

After board discussion a motion to adopt IDEM's suggested amendments was made and seconded. With a unanimous voice vote, the board approved the suggested changes. A motion to final adopt the proposed rule as amended was made and seconded. With a roll call vote, the board voted unanimously for the final adoption of #06-96 Sewer Bans as amended.

C. LSA Doc. #06-501 Extension of Compliance Dates for Concentrated Animal Feeding Operations

Chairperson Powdrill opened the public hearing for consideration of the final adoption of amendments to rules to LSA Doc. #06-501 Extension of Compliance Dates for CAFOs. Mr. Pigott spoke for the agency. He responded to questions from the board.

There were no commenters. The public hearing concluded. After board discussion a motion to adopt IDEM's suggested amendments was made and seconded. With a

unanimous voice vote, the board approved the suggested changes. A motion to final adopt the proposed rule as amended was made and seconded. With a roll call vote, the board voted unanimously for the final adoption of #06-501 Extension of Compliance Dates for CAFOs.

7 ADJOURNMENT

Chairperson Powdrill noted there would not be a board meeting in July. Additionally, either the September or October meeting would be a road trip to southeastern Indiana somewhere in the Greensburg/Batesville area.

Ms. Botts addressed the board regarding the Great Lakes Compact which was signed in 2003. Its goal is to keep the authority for decisions on diversions in the region rather than in Washington, D.C. In Indiana, three legislative study commissions will address the issue over this summer. Environmental organizations have been asked by the Governor's office and DNR to suggest potential cosponsors for the planned public meetings. Ms. Botts asked the board members for their questions, or suggestions for the location of the public meetings or potential sponsors. She would bring those ideas back to the Indiana effort.

Chairperson Powdrill adjourned the WPCB at 2:43 p.m.

The next WPCB meeting is scheduled for Wednesday, August 8, 2007, at Indiana Government Center South, Conference Room A, at 1:30 p.m. E.D.T.

CHAIRPERSON

A court reporter recorded this meeting. A typewritten transcript of the entire meeting is on file in the Office of Water Quality, Indiana Department of Environmental Management.